

**SPENCER CITY COUNCIL MEETING
September 15, 2014
SPENCER, IOWA**

The City Council of the City of Spencer, Iowa, met on the 15th day of September 2014, at 6:30 o'clock P.M., in regular session in the Council Chambers, City Hall, Spencer, Iowa, pursuant to law, to adjournment and to the rules of said Council.

The meeting was called to order by Mayor Reynold Peterson, in the Chair and the roll being called, the following Council Members were present:

Present: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
Absent: None

An update on the Spencer Dream Center was given by Pastor Kevin Grimes.

It was moved by Council Member Orrison, seconded by Council Member Prentice to approve items on the consent agenda, as follows:

Minutes of September 2, 2014;

Licenses: Approve Temporary 5 day Class BB Beer License with Outdoor Service and Sunday Sales for Parker Historic Society for Oktoberfest Event on Clay County Fairgrounds October 12, 2014 (pending Fire) and Class C Liquor License with Sunday Sales and Outdoor Service for Spencer Golf & Country Club (pending Fire);

**RESOLUTION NO. 5303: APPROVING OFFICIAL 2013-2014 FISCAL YEAR
STREET FINANCE REPORT**

**RESOLUTION NO. 5304: A RESOLUTION AUTHORIZING APPLICATION TO
THE IOWA FEDERAL RECREATIONAL TRAILS
PROGRAM, AND COMMITTING LOCAL MATCH TO
THE PROJECT**

Approve purchase of Canon iR C5235A Color Copy Machine for the Police Department for \$7311 from Police Reserve;

Approve Residential Tax Abatement Requests for:

Robert & Jaymie Krukow, 2210 4th Ave. SW
Roger Sangel, 94 Stoneybrook Circle SW
Joyce Snyder, 79 Stoneybrook Circle SW
Jordon Rasmussen and Breanna Ford, 63 Stoneybrook Circle SW
Todd & Amy Maschino, 71 Stoneybrook Circle SW
Kay Keener, 57 Stoneybrook Circle SW
Dennis & Beverly Hanna, 35 Stoneybrook First Addition
Todd & Kellie Harmon, 2202 4th Avenue SW
James & Alison Herman, 1518 17th Ave. W.
John & Laurie Lawson, 1122 Michaels Court
Hugh Lively, 2226 4th Ave. S.W.

Terry & Tessa Hemann, 1111 W. 8th St.
Dwayne Peterson, 123 Stoneybrook Circle SW
Jeff & Lori Hermstad, 2218 4th Ave. W.
Cheryl Bauer, 44 Stoneybrook Circle SW
James or Carol Bleich, 1102 W. 8th St.

The Mayor put the question upon the motion, and the roll being called, the vote thereon was as follows:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty
Nays: None

Whereupon, the Mayor declared the motion carried.

It was moved by Council Member Moriarty, seconded by Council Member Hanson to table the Resolution Authorizing and Directing the Temporary Closing of Portions of City Street (2nd Avenue West) between West 3rd Street and West 4th Street) in the City of Spencer on Sunday, September 21, 2014, from 10:00 A.M. until 3:00 P.M. as requested by Grace United Methodist Church and schedule for a Special City Council meeting on September 17, 2014 at 5:35 P.M. to take action on the resolution. The motion was declared carried when all Council Members present voted aye on voice call vote.

The Mayor announced this was the time and place set for hearing on Amendment to City of Spencer Budget for Fiscal Year 2014/2015;

The Mayor declared the Public Hearing Open.

Written Comments Against:

None

Oral Comments Against:

None

Written Comments in Favor:

None

Oral Comments in Favor:

None

The Mayor declared the Public Hearing Closed.

Council Member Prentice introduced and caused to be read the following Resolution, and moved its adoption, seconded by Council Member Petska and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Whereupon, the Mayor declared the motion carried and said Resolution adopted as follows:

**RESOLUTION NO. 5305: CITY BUDGET AMENDMENT AND
CERTIFICATION RESOLUTION**

The Mayor announced this was the time and place set for hearing on Designation of Expanded Spencer Consolidated Urban Renewal Areas and on Proposed Urban Renewal Plan Amendment;

The Mayor declared the Public Hearing Open.

Written Comments Against:

None

Oral Comments Against:

None

Written Comments in Favor:

None

Oral Comments in Favor:

None

The Mayor declared the Public Hearing Closed.

Council Member Orrison introduced and caused to be read the following Resolution, and moved its adoption, seconded by Council Member Moriarty and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Whereupon, the Mayor declared the motion carried and said Resolution adopted as follows:

RESOLUTION NO. 5306: RESOLUTION TO DECLARE NECESSITY AND ESTABLISH AN URBAN RENEWAL AREA, PURSUANT TO SECTION 403.4 OF THE CODE OF IOWA AND APPROVE URBAN RENEWAL PLAN AMENDMENT FOR THE 2014 ADDITION TO THE SPENCER CONSOLIDATED URBAN RENEWAL AREAS

Council Member Swanson introduced and caused to be placed on file an ordinance Providing for the Division of Taxes Levied on Taxable Property in the 2014 Addition to the Spencer Consolidated Urban Renewal Areas, Pursuant to Section 403.19 of the Code of Iowa, 1st Filing. Council Member Bomgaars seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Absent: None

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on 1st filing.

The Mayor announced this was the time and place set for hearing on Development Agreement with Clay County Lodging, LLC, in connection with the construction and operation of new hotel facilities in the Spencer Consolidated Urban Renewal Areas, which Agreement provides for certain financial incentives in for form of incremental property tax payments in the total amount not exceeding \$1,350,000;

The Mayor declared the Public Hearing Open.

Written Comments Against:

None

Oral Comments Against:

None

Written Comments in Favor:

None

Oral Comments in Favor:

None

The Mayor declared the Public Hearing Closed.

Council Member Petska introduced and caused to be read the following Resolution, and moved its adoption, seconded by Council Member Orrison and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Whereupon, the Mayor declared the motion carried and said Resolution adopted as follows:

RESOLUTION NO. 5307: RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH CLAY COUNTY LODGING, LLC, AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT

The Mayor announced this was the time and place set for hearing on Development Agreement with Shine Bros. Corp., in connection with the construction and operation of a research and development facility for use in its business operations at 220 10th Ave. SE in the Spencer Consolidated Urban Renewal Areas, which Agreement provides for certain financial incentives in for form of incremental property tax payments in the total amount not exceeding \$330,000;

The Mayor declared the Public Hearing Open.

Written Comments Against:

None

Oral Comments Against:

None

Written Comments in Favor:

None

Oral Comments in Favor:

None

The Mayor declared the Public Hearing Closed.

Council Member Prentice introduced and caused to be read the following Resolution, and moved its adoption, seconded by Council Member Swanson and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Whereupon, the Mayor declared the motion carried and said Resolution adopted as follows:

RESOLUTION NO. 5308: RESOLUTION APPROVING DEVELOPMENT AGREEMENT WITH SHINE BROS. CORP., AUTHORIZING ANNUAL APPROPRIATION TAX INCREMENT PAYMENTS AND PLEDGING CERTAIN TAX INCREMENT REVENUES TO THE PAYMENT OF THE AGREEMENT

Council Member Orrison introduced and caused to be placed on file an Ordinance Amending the Zoning Classification of two tracts of land in the West Half of the NE Quarter of Section 24-96N-37W from C-2 Highway Commercial and A Residential Zoning Districts to B Multiple Residential Zoning District. Council Member Bomgaars seconded the motion. The Mayor put the question on the motion and the roll being called, the vote thereon was as follows:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Whereupon, the Mayor declared the motion carried and said proposed ordinance was placed on 2nd filing.

Council Member Hanson introduced and caused to be read the following Resolution, and moved its adoption, seconded by Council Member Petska and after due consideration, thereof by the Council, the Mayor, put the question upon the motion, and the roll being called, the following named Council Members voted:

Ayes: Petska, Orrison, Bomgaars, Swanson, Hanson, Prentice, Moriarty

Nays: None

Whereupon, the Mayor declared the motion carried and said Resolution adopted as follows:

RESOLUTION NO. 5309: A RESOLUTION AMENDING THE PERSONNEL MANUAL TO ADOPT SERIES 600, "SAFETY"

It was moved by Council Member Swanson and seconded by Council Member Moriarty to Approve Revised 28E Agreement for Sharing of Law Enforcement Officers and Providing Emergency Response Assistance (H.E.A.T. Tactical Team). The motion was declared carried when all Council Members present voted aye on voice call vote.

The following Department Reports were given:

City Manager's Report: Economic Development Report from Robert Becker, Iowa Workforce Development

Mayor's Report: Iowa League of Cities next week

Council/Comm. Reports: Progress & Development scheduled for October 6, 2014 at 5:30 p.m.

Special City Council meeting September 17, 2014 at 5:35 p.m.

Other Business: October 8, 2014 meeting

It was moved by Council Member Prentice, seconded by Council Member Swanson to approve the Bills & Claims and Funds Transfers. The motion was declared carried when all Council Members present voted aye on voice call vote.

It was moved by Council Member Petska, seconded by Council Member Moriarty to adjourn the meeting of the Spencer City Council at 7:50 o'clock P.M. The motion was declared carried when all Council Members present voted aye on voice call vote.

Reynold Peterson, Mayor

ATTEST:

Theresa Reardon, City Clerk

(SEAL)

September 15, 2014 Claims:

VENDOR	DESCRIPTION	AMOUNT
FARMERS BANK	pr deduct	37,032.03
DEPT OF HUMAN SERVICES	pr deduct	1,051.28
ICMA RETIREMENT	pr deduct	859.23
CLAY COUNTY SHERIFF	pr deduct	313.05
ADVANTAGE COMPANIES	services	585.00
AGRI SERVICES	repairs	38.46
ALLIANT ENERGY	utilities	286.11
A&M	services	306.99
ALL AMERICAN TURF BEAUTY	services	176.16
AMERICMARK DIRECT	supplies	5,291.88

THE AMERICAN BOTTLING COMPANY	beverages	118.32
BLACK HILLS ENERGY	utilities	5,751.73
ARNOLD MOTOR	repairs	334.73
ANIMAL MEDICAL CENTER	services	1,500.00
ARROWHEAD SCIENTIFIC	supplies	72.94
BAKER & TAYLOR	books	647.78
NORTHERN LIGHTS DISTRIBUTING BUDS	food	469.65
	services	75.00
THE BOULDER COMPANY	supplies	4.00
PAULA BROWN	reimburse	128.80
CAMPBELL TREE SERVICE	services	6,945.00
CANON FINANCIAL SERVICES	contract	121.55
CANAMER SERVICES	repairs	667.50
CARROLL CONSTRUCTION	maintenance	898.57
VERIZON WIRELESS	services	114.61
CENTURY BUSINESS PROD	contract	409.88
CANNON MOSS BRYGGER	services	440.84
CENTURY LAUNDRY	repairs	73.13
CHIEF SUPPLY	uniform	78.47
CLEAR STREAM RECYCLING	supplies	279.20
CLAY COUNTY	local option	15,742.01
CLAY COUNTY RECORDER	recordings	61.00
CLAY COUNTY TREASURER	beltway	3,090.29
CLAY COUNTY TREASURER	taxes	1,152.70
CRESCENT ELECTRIC	maintenance	184.12
CORY JUERGENS CONSTRUCTION LLC	pay est	19,522.50
CORNBELT POWER	taxes	496.99
COOPERATIVE ENERGY COMPANY	fuel	24,548.36
CENTRAL IA DISTRIBUTING	supplies	117.60
CRISAFULLI	pump	37,050.00
VAUGHN DELOSS CONST	rental	1,000.00
DISABLE VETS AT WORK		
RECYLETRON	disposal	39.32
DYNO OIL CO. #32	supplies	1,938.12
E-PRIDE OFFICE PRODUCTS	supplies	156.48
ECOLAB PEST ELIMINATION DIV.	maintenance	109.00
E.M.S. AUTO PARTS	repairs	8.53
EMPLOYMENT CONNECTIONS	misc	391.92
FAREWAY STORES #788	supplies	88.31
FAREWAY STORES #849-EMBG	supplies	45.51
THE ANDERSON'S, INC.	fuel	2,926.58
FOX INTERNATIONAL, INC.	repairs	493.87
GALE GROUP	books	47.18
GOAL KICK SPORTING GOODS	shirts	223.50
GOOGLE, INC	fees	292.85

GALEN'S PRO-MOW	repairs	473.93
GRAHAM TIRE CO.	repairs	35.00
GREG'S REPAIR	repairs	12.40
H & N CHEV-BUICK	repairs	777.44
HARDWARE HANK	supplies	19.77
HAWKEYE STATE FIRE SAFETY ASSOC	mtg expense	280.00
HELEN'S LAUNDRY	services	85.55
HEMPHILL LAW OFFICE P.L.C.	fees	4,741.15
I STATE TRUCK CENTER	repairs	304.18
HOTSY EQUIPMENT COMPANY	repairs	46.10
HLW ENGINERING GROUP	services	1,250.00
IA COMMUNICATIONS NETWORK	services	4.92
IOWA LAKES ELECTRIC COOP	utilities	894.80
INGRAM LIBRARY SERVICES	books	1,561.34
IOWA ASSOC OF PROFESS. FIRE CHI	registration	50.00
JANITORS CLOSET	supplies	800.28
JOHNSTON AUTOSTORES	repairs	389.39
KAPCO POSTAL PACK & SHIP	supplies	16.05
KOENIG PORTABLE TOILETS	maintenance	1,675.00
KRUSE, CATE & NELSON	fees	19,855.73
LARUE COFFEE	supplies	251.00
LEADING EDGE AVIATION	contract	2,916.67
MAR-LIN BUSINESS SUPPLY	supplies	124.43
MARTIN'S FLAG CO. INC.	supplies	134.21
McDONALD SUPPLY CO	repairs	34.38
MCCLURE ENGINEERING CO.	services	6,400.00
MENARDS-SPENCER	maintenance	1,040.11
MID COUNTRY MACHINERY INC.	repairs	139.78
MUDDY CREEK CONTRACTING	sidewalk	2,246.50
MID STATES BUILDERS, INC.	crane	615.00
MIDWEST TURF & IRRIGATION	repairs	338.30
MODERN MARKETING INC.	supplies	346.34
NAPA AUTO PARTS	repairs	244.71
NIELSEN'S TIRE CO.	repairs	10,273.35
NORTHWEST PRINTING CO.	supplies	196.93
NORTHWEST IA ELECTRICAL ASSOC	dues	120.00
O'BRIEN COUNTY IMPLT. INC.	repairs	12.70
OMG MIDWEST INC D/B/A TRI STAT	pay est	326,143.57
OFFICE SYSTEMS	contract	816.02
OLD DUTCH FOODS, INC.	food	30.80
PEOPLE FOR PETS	contract	400.00
UNITED STATES POSTAL SERV	supplies	800.00
PRO GLASS	advertising	325.00
PHILLIPS PAINTING LLC	maintenance	3,192.02

READERS DIGEST LARGE PRINT	books	29.96
REGISTER MEDIA	misc	1,662.52
RIVER VALLEY		
TELECOMMUNICATION	telephone	73.04
RICK'S PEST CONTROL	services	80.00
RAY ALLEN MANUFACTURING, LLC	supplies	70.98
SETCO	repairs	1,347.03
STATE STEEL	supplies	112.90
BOMGAARS	supplies	1,643.70
SEBCO BOOKS	books	1,207.96
SOLUTIONS INC	services	487.22
SPAN PUBLISHING INC.	mtg expense	144.00
SPEED PRINTERS	supplies	553.50
SPENCER AG CENTER LLC	supplies	75.00
SPENCER AUTO PARTS	repairs	1,591.92
SPENCER COMM SCHOOLS	local option	39,355.03
SPENCER DAILY REPORTER	publications	1,920.33
SPENCER FAMILY YMCA	contract	17,167.99
SPENCER MUNI. UTILITIES	utilities	44,190.41
SPENCER OFFICE SUPPLY	supplies	161.98
SPENCER READY MIX	maintenance	1,763.50
SPENCER TROPHY & AWARDS	supplies	43.20
STAPLES CREDIT PLAN	supplies	502.40
SUNSHINE SERVICES INC.	maintenance	67.63
SULLIVAN CONCRETE	sidewalk	6,906.00
SWEEPER PARTS SALES	repairs	1,229.80
TIMEMARK INCORPORATED	supplies	995.00
TURFWERKS	repairs	1,024.35
U.S. CELLULAR	services	318.88
VISA	mtg expense	2,096.54
WALLACE'S WATER CONDITIONING	supplies	34.50
WHITE GLOVE JANITORIAL SERVICE	supplies	31.93
BRIAN WEUVE	reimburse	40.33
WRIGHT EXPRESS FSC	fuel	62.48
TOM NORGAARD	mowing	275.00
JASON SHEPHERD	books	100.00
LEO WIGEN	sidewalk	257.50
DAZEY SCHATZBERG	sidewalk	412.00
VERA RUBES	sidewalk	10.00
TOTAL		693,259.99

FUND TOTALS

GENERAL	125,218.53
SP REVENUE	10,434.01
RST CASH	8,689.77
LOCAL OPTION	61,796.19

DEB SERV	18.79
CAP PRJ	370,702.43
ENT CAP PRJ	4,556.00
SEWER	14,108.84
SEWER RES	37,665.00
AIRPORT	6,110.70
SOLID WASTE	26,052.28
LANDFILL	9,791.19
LF COMP PL	5,332.21
LF ENV MNG	223.50
REG COL CNT	242.65
GOLF	12,317.90
TOTAL	693,259.99

Minutes are subject to approval by the Spencer City Council.